

JC08 Rec'd PCT/PTO 06 OCT 2005

Attorney Docket No. OKUDP0136US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(DO/EO/US)**

In re national phase of:

Applicant(s): Hiroaki MATSUMIYA et al.  
 International Application No.: PCT/JP2004/004975  
 International Filing Date: 06 April 2004  
 Priority Date Claimed: 09 April 2003  
 Title of Invention: OPTICAL PICKUP DEVICE AND OPTICAL DISK APPARATUS

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1345

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: \_\_\_\_\_  
 Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) ☒ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) ☒ Within 3 months of the filing date, date of entry into the National Stage, or filing date of CPA.
- (b) ☐ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c) ☐ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

(d) \_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) \_\_\_ The required certification is given below, or

(2) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) \_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2) \_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

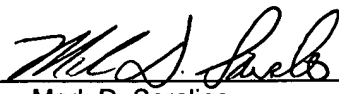
(a) \_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) \_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully Submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

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Form PTO-1449 (Modified)  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Atty Docket No.	Express Mail No.
	OKUDP0136US	EV671714219US
	Applicant:	
	Hiroaki MATSUMIYA et al.	
	Filing Date	Group
	October 6, 2005	Unknown

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date MM/YYYY	Name	Class	Sub-class	Filing Date if Appropriate
	2002/0041545 A1	04/2002	Yamasaki et al.			
	2002/0080692 A1	06/2002	Nagaoka et al.			
	2002/0126588 A1	09/2002	Katayama			

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Document Number	Date MM/YYYY	Country	Class	Sub-class	Translation	
						Yes	No
✓	2001-307351	11/2001	JP			Abstract	

**OTHER ART**

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.
✓	International Search Report for corresponding PCT/JP2004/004975, mailed, May 18, 2004.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Information Disclosure Statement PTO-1449 (Modified)**

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.